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## PART 308

### PAYMENT OF SALARY OR REMUNERATION OR UNUSED VACATION UPON RESIGNATION OR RETIREMENT OR UPON DEATH WHILE IN SERVICE

Sec.

- 308.1 Application
- 308.2 Payment for unused vacation
- 308.3 Payment upon completion of required service

#### § 308.1 Application.

This Part shall apply to any employee in the professional service irrespective of payroll mode.

#### § 308.2 Payment for unused vacation.

Any employee in the professional service who is eligible to accrue vacation leave pursuant to Title A of Part 337 of this Chapter shall, upon nondisciplinary separation, resignation or retirement, or upon change of the professional obligation from calendar year or college year to academic year, be paid for any such unused vacation leave to his credit at the time of such change in status, such payment to be computed on the basis of the annual salary otherwise payable. In the case of death while in service, such amount for unused vacation shall be paid to the deceased employee's estate or as provided in section 1310 of the Surrogate's Court Procedure Act.

#### § 308.3 Payment upon completion of required service.

(a) Any employee in the professional service, other than a person who is eligible to accrue vacation leave pursuant to Title A of Part 337 of this Chapter, shall, upon resignation or retirement, be paid for salary or remuneration due by reason of the completion of required services at the time of resignation or retirement, such payment to be computed in accordance with the following formula:

$$((\text{service performed} / (\text{service required}) \times \text{annual salary}) - \text{salary received} =$$
  
salary due

where the service performed and service required are in terms of quarters, trimesters, months, weeks, or other appropriate units consistent with the obligation requirements at the campus concerned, and the salary received is that amount actually paid to him for the period indicated in the formula as service performed.

(b) In case of death while in service, such amount as may otherwise be payable for completion of required service shall be paid to the deceased employee's estate or as provided in section 1310 of the Surrogate's Court Procedure Act.